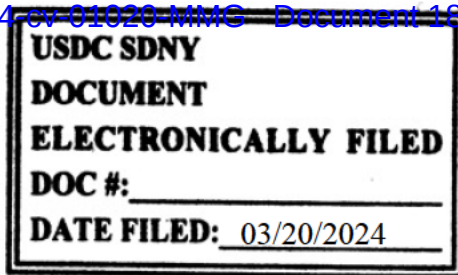


Ogletree
Deakins



OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

Attorneys at Law

10 Madison Avenue, Suite 400
Morristown, NJ 07960
Telephone: 973-656-1600
Facsimile: 973-656-1611
www.ogletree.com

Jocelyn A. Merced
Jocelyn.Merced@ogletree.com

March 19, 2024

Via ECF

Hon. Margaret M. Garnett, U.S.D.J.
United States District Court
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square, Room 2102
New York, NY 10007

Re: Pagano v. Johnson Controls, Inc.
Case No. 24-CV-01020 (MMG)

Judge Garnett:

This firm represents Defendant Johnson Controls, Inc. ("JCI") in the above-entitled matter. Along with counsel for Plaintiff Francesco Pagano, we jointly request that the Initial Pretrial Conference scheduled for March 28, 2024 be adjourned.

Plaintiff's counsel served a Request for Waiver of Service on JCI pursuant to *Fed.R.Civ.P.* 4(d) on February 13, 2024 and JCI waived service. [ECF 12]. As a result, JCI's time to Answer or otherwise move with respect to the Complaint is April 15, 2024. [*Id.*].

In lieu of an Answer, JCI will file a Motion to Dismiss the Complaint pursuant to *Fed.R.Civ.P.* 12(b)(6) for failure to state a claim upon which relief can be granted.

In light of the above, the parties jointly request that the Initial Pretrial Conference be adjourned until 45 days after the Court has decided JCI's *Fed.R.Civ.P.* 12(b)(6) motion. Should the Court have any questions or suggestions regarding the above, the parties can make themselves available.

Application GRANTED. Defendant shall file its anticipated motion to dismiss by **April 15, 2024**, Plaintiff's opposition shall be due **April 29, 2024**, and Defendant's reply shall be due **May 6, 2024**.

All other dates and deadlines, including the Initial Pretrial Conference, are hereby adjourned *sine die*.

SO ORDERED. Date: 3/19/2024.


HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE

Hon. Margaret M. Garnett, U.S.D.J.

March 19, 2024

Page 2

Thank you.

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

/s/ Jocelyn A. Merced
Jocelyn A. Merced

JAM/ss

On behalf of Plaintiff, we join in the Above Request for Adjournment.

By: s/ Heidi Sharp

Heidi Sharp
The Sharp Firm
43260 Sarfield, Suite 280
Clinton Twp., MI 48038
(586) 226-2627
heidi@sharpfirmlaw.com
Pro hac vice

Adam C. Lease
Karpf, Karpf & Cerutti, P.C.
3331 Street Road
Two Greenwood Square, Suite 128
BenSalem, PA 19020
(215) 639-0801
alease@karpf-law.com

Attorneys for Plaintiff